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7 *Counsel for Defendants Parker and Williams*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 21st CENTURY COMMUNITIES,
INC., a Nevada corporation,

11 Plaintiff,

12 vs.

13 MUZLINK, LLC, a California
14 limited liability company; PHILLIP
15 BRADLEY PARKER, a California
Resident, WAYNE WILLIAMS, a
16 California Resident, DOES I through
X; and ROE CORPORATIONS, I
17 through X, inclusive,

18 Defendants.

19 Case No. 2:09-cv-2458-RFB-VCF

**STIPULATION RE DEFENDANTS'
REQUEST FOR EITHER A CHANGE OF
THE DATE FOR THE PRETRIAL
CALENDAR CALL OR PERMISSION FOR
DEFENDANTS' COUNSEL TO APPEAR
VIA TELEPHONE AT SUCH
PROCEEDING**

20 1. Defendants Phillip Bradley Parker and Wayne Williams (collectively "Defendants")
21 submit this stipulation seeking either a change of the date and time of the scheduled Calendar Call
22 regarding the Trial or for permission for lead counsel, Neal M. Goldstein, to appear for such via
23 telephone.

24 2. Defendants so request because the Court's recent order sets such Call on
25 Defendants' lead counsel's Mother's 90th Birthday (March 21, 2019).

26 3. On November 30, 2018, the Court entered the following order:

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28 ORDER Granting [161] Stipulation. IT IS ORDERED that

1 Jury Trial is set for 4/1/19 at 9:00 AM in LV Courtroom 7C
2 before Judge Richard F. Boulware, II. IT IS FURTHER
3 ORDERED that Calendar Call is set for 3/21/19 at 3:00 PM
4 in LV Courtroom 7C before Judge Richard F. Boulware,
5 IT IS FURTHER ORDERED that trial briefs,
6 proposed voir dire, proposed jury instructions, exhibit
7 and witness lists are due by 3/20/19.

8 4. Neal M. Goldstein is lead counsel for the Defendants. His mother turns 90 on
9 March 21st, the day on which the Court ordered the final Calendar Call.

10 5. Long before the order was entered, Mr. Goldstein's sibling and mother had
11 arranged to be in the Chicago area to celebrate his Mother's birthday from March 20th through
12 March 24th. Mr. Goldstein had previously purchased airplane tickets to fly to Chicago on March
13 20th and return on March 24th. Mr. Goldstein can be at a Calendar Call on March 19, 2019 or
14 before or the afternoon of March 25th or thereafter.

15 6. Mr. Goldstein would like to be present for the Calendar Call applicable to the trial
16 of this matter.

17 7. Defendants request that the Calendar be rescheduled, which is preferable to the
18 Defendants, or that Mr. Goldstein be allowed to appear for the Call via telephone.

19 8. Defendants ask only that the Calendar Call be at a time and in a manner where their
20 counsel can appear and also be available to celebrate with his Mother's 90th Birthday. If necessary,
21 counsel asks that he be given permission to appear via telephone, which he can do at the time that
22 the call is presently scheduled. However, as noted, Defendants prefer that the Call be at a time
23 when Mr. Goldstein can be present in the event any issues arise at that time.

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1 9. Plaintiffs have no objection to a change of the Calendar call as long as such does
2 not give rise to a conflict for them.

3 By their signatures below, all parties agree and stipulate to the foregoing and request the
4 Court enter an order in accordance therewith:

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6 Dated: December 10, 2018

/s/ Neal M. Goldstein
Neal M. Goldstein
Attorney for Defendants Parker and Williams

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8 GREENBEERG TRAURIG, LLP

9
10 By:/s/Kara .B. Henricks
Kara B. Hendricks
11 Attorneys for Plaintiff

12 ORDER

13 IT IS ORDERED that the Calendar Call in the above captioned matter previously set for
14 3/21/19 at 3:00 PM is vacated and continued to March 19, 2019 at 3:00 PM in LV Courtroom 7C.

15 IT IS FURTHER ORDERED that proposed voir dire, proposed jury intructions,
16 exhibit and witness lists are due by March 15, 2019; trial brief is due by March 18, 2019.

17 IT IS FURTHER ORDERED that motions in limine are due by March 11, 2019 with
18 responses due by March 15, 2019.

19 Alternatively, IT IS ORDERED that Neal M. Goldstein, counsel for the Defendant
20 in the above captioned action may appear at the Calendar Call in the above captioned
21 matter via telephone.

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24 RICHARD F. BOULWARE, II
25 UNITED STATES DISTRICT JUDGE

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27 DATED: December 11, 2018.
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